

Henderson v. Boudreau, et al. – 23 CV 4802
Tyler v. City of Chicago, et al. – 23 CV 4803

EXHIBIT 5

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

Gamalier Rivera

Plaintiff,

v.

Case No.: 1:23-cv-01743

Honorable Edmond E. Chang

Reynaldo Guevara, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, March 6, 2024:

MINUTE entry before the Honorable Sunil R. Harjani: Plaintiff's motion for a HIPPA and Mental Health protective order [83] is denied and Defendant's version of the HIPPA order shall be entered. This Court has already thoroughly opined on this issue in *Coleman v. City of Chicago*, 2019 WL 7049918 (N.D. Ill. Dec. 23, 2019) and the same rationale applies here and is adopted in full. Like in *Coleman*, Plaintiff brings a wrongful conviction claim as a result of alleged fabricated evidence and other conduct and further alleges in the Complaint severe physical and emotional harm (such as "great mental anguish," "physical and emotional pain and suffering," and "severe emotional distress"). Plaintiff also bring a claim for intentional infliction of emotional distress, which itself requires proof of severe emotional distress. While the Court appreciates that judges in this district have taken varying approaches, allowing both sides to cite cases for its position, this Court has already analyzed the issue and taken a position. Like in *Coleman*, Plaintiff has broadly alleged emotional distress and physical damages, injected the issue into the case, and pleaded more than garden-variety damages. Plaintiff also does not commit to only seeking garden-variety damages, and interrogatory responses reveal that Plaintiff has experienced anxiety and depression resulting in hospitalization and other medical consequences. Plaintiff also alleges wrongful imprisonment for nearly 23 years, and thus the totality of these circumstances warrant entry of Defendant's proposed version of the order. See also *Jakes v. Boudreau*, 2020 WL 5297007 (N.D. Ill. Sept. 4, 2020); *Rodriguez v. Guevara*, 22 cv 6141, docket 118. The proposed order shall be submitted via email to Proposed_Order_Harjani@ilnd.uscourts.gov. Mailed notice(lxs,)

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